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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,213	11/08/2001	Athol E. Meder	PUR01- P-316	5565

28101 7590 06/02/2004

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EXAMINER

BOMBERG, KENNETH

ART UNIT PAPER NUMBER

3754

DATE MAILED: 06/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/009,213

Applicant(s)

MEDER ET AL.

Examiner

Kenneth Bomberg

Art Unit

3754

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 16-49 is/are pending in the application.
- 4a) Of the above claim(s) 7-10 and 23-49 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 16-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, 11-14, and 17-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang (5,565,065) in view of Sacchetti (5,908,142).

Wang teaches of a water dispensing unit (Fig. 1) receiving water from a supply (23), a treating system (3,21,22, etc.), cooling device (4), dispensing nozzle (5), and housing according to the claims. However, Wang is absent a teaching of a display according to the claims.

Sacchetti teaches in a beverage dispensing system, a programmable display displaying an image or message related to the location or environment at which the dispenser unit is positioned, the image or message being substantially unrelated to the beverage dispensed by the dispenser. Specifically Sacchetti teaches the display is programmable such that:

“The keyboard 36 is provided so that the content of the information supplied by the hard drive may be changed at any time to take into consideration such things as food and drink specials and other information which change often and for which ease of modification is desired.” (column 4, lines 14-20)

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Food is a message related to the location or environment but substantially unrelated to the beverage dispensed by the dispenser.

It would have been obvious to one having ordinary skill in the art at the time of the invention to have incorporated the display of Sacchetti into the beverage dispenser of Wang in order to obtain programmable advertisement as explicitly taught by Sacchetti.

In Reference to Claims 2-4, and 6

The disclosed LCD, LED, and FVD displays taught by Sacchetti meet these claim limitations.

In Reference to Claim 5

The display as taught by Sacchetti is “removable” mounted to the housing (i.e. it can be removed).

In Reference to Claim 11

See Sacchetti column 2, lines 29-33.

In Reference to Claims 12-14

Wang teaches of a water distillation unit according to the claims.

In Reference to Claims 17-20

Wang shows a water dispensing unit substantially according to claims 17-20 having a condensing unit (2), a holding tank (22), dispensing nozzle (5), and a boiling unit (3).

In Reference to Claims 21-11

When the housing (1) of Wang is modified with the display of Sacchetti, the resulting structure is as claimed.

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3. Claim 16 rejected under 35 U.S.C. 103(a) as being unpatentable over Wang and Sacchetti as applied to claim 1 above, and further in view of Sutera.

Wang as modified by Sacchetti teaches of a water dispensing unit according to the claims but does not teach of multiple dispensing nozzles. Sutera teaches of multiple dispensing nozzles (24) to provide hot or cold water (see column 3, lines 35-43). It would have been obvious to one having ordinary skill in the art at the time of the invention to have incorporated the multiple nozzles of Sutera in the water dispensing unit of Wang and Sacchetti in order to dispense hot or cold water as taught by Sutera.

Response to Arguments

4. Applicant's arguments with respect to claims 1-14 and 16-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

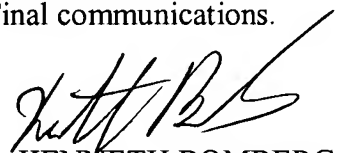
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Bomberg whose telephone number is (703) 308-2179. The examiner can normally be reached on Monday-Thursday from 9:30 AM - 7:00 PM. The examiner can also be reached on alternate Fridays.

The fax phone numbers for the organization where this application or proceeding is assigned is 703-872-9306 for regular communications and After Final communications.



KENNETH BOMBERG
PRIMARY EXAMINER
ART UNIT 3754

K.B.
May 31, 2004